



**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

April 4, 2025

VIA ECF

Hon Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square, Room 2102
New York, NY 10007

Re: *People of the State of New York v. Puff Bar, et al.*, Case No. 25-CV-01445 (MMG)

Dear Judge Garnett:

This Office represents Plaintiff the State of New York (the “State”) in the above-referenced litigation. We write in response to Defendants’ joint letter request to adjourn the upcoming Rule 16 conference, ECF No. 41, which we oppose.

Defendants’ primary purpose for seeking such delay is because of a stated intent to file a motion to transfer venue. Notwithstanding the State’s substantive position that a motion to change venue is meritless, Defendants have the opportunity to file such a motion immediately and there is no reason to delay the Rule 16 conference on that account. Moreover, the purpose of the Rule 16 conference is to ensure the “just, speedy and inexpensive” administration of the proceedings, and allow the parties to meet with the Court in order to, amongst other things, “expedit[e] disposition of the action,” “establish[] early and continuing control so that the case will not be protracted because of lack of management,” and “discourage wasteful pretrial activities.” Fed. R. Civ. P. 1 and 16. Regardless of an anticipated motion concerning venue, a Rule 16 conference is necessary and appropriate at the earliest juncture given the size and scope of this case.

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joy K. Mele", is written over a horizontal line.

Joy K. Mele
Assistant Attorney General
Health Care Bureau

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Cc: All Counsel of Record (via ECF)

Mary G. Bielaska, Esq. (via email)

*Counsel for Defendants Puff Bar, PVG2, LLC
and EVO Brands, LLC*